



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

November 24, 1998

Mr. Michael Bostic
Assistant City Attorney
City of Dallas
Municipal Building
Dallas, Texas 75201

OR98-2852

Dear Mr. Bostic:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 119983.

The Dallas Police Department (the "department") received an open records request for records pertaining to internal affairs investigations of a particular police officer. You state that most of the requested information will be released to the requestor. You seek to withhold from the requested files, however, the cellular telephone numbers of police officers. We infer from your arguments that you intend to assert the applicability of section 552.108 with regard to this information.

Although you have not cited any particular subsection of section 552.108, this office has previously concluded that the "law-enforcement exception" generally protects from required public disclosure the cellular mobile phone numbers assigned to public and private vehicles used by public officials and employees with specific law enforcement responsibilities. *See* Open Records Decision No. 506 (1988). The department therefore may withhold the police officers' cellular telephone numbers pursuant to section 552.108. The remaining information contained in the "Watch Detail" sheets, however, must be released.

The same requestor also seeks 911 "call sheets" reflecting telephone calls from particular addresses. You also contend that, in accordance with Open Records Decision No. 649 (1996), the originating telephone numbers and addresses of 911 calls made to the department are confidential under section 772.318 of the Health and Safety Code, and that

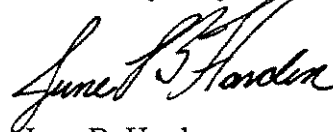
this information therefore must be withheld from the public pursuant to section 552.101 of the Government Code.¹

You raise Open Records Decision No. 649 (1996), which interpreted section 772.318 of the Health and Safety Code, one of several confidentiality provisions in chapter 772 of the Health and Safety Code. As you raise this decision, we assume that the emergency 911 district that provides services to the department was established in accordance with chapter 772 of the Health and Safety Code, which authorizes the development of local emergency communications districts. Sections 772.118, 772.218 and 772.318 of the Health and Safety Code make confidential the originating telephone numbers and addresses of 911 callers furnished by a service supplier. See Open Records Decision No. 649 (1996). Section 772.118 applies to emergency communication districts for counties with a population over two million. Section 772.218 applies to emergency communication districts for counties with a population over 860,000. Section 772.318 applies to emergency communication districts for counties with a population over 20,000. Subchapter E, which applies to counties with populations over 1.5 million, does not contain a confidentiality provision regarding 911 telephone numbers and addresses. Section 772.401, *et seq.*

If the emergency communication district that provides services to the department is subject to either section 772.118, 772.218 or 772.318, the originating telephone number and address on the requested call sheets are excepted from public disclosure pursuant to section 552.101 of the Government Code as information deemed confidential by statute. All remaining information contained in the requested call sheets, however, must be released to the requestor.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



June B. Harden
Assistant Attorney General
Open Records Division

JBH/RWP/ch

¹Section 552.101 of the Government Code protects "information considered to be confidential by law, either constitutional, statutory, or by judicial decision."